IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 21750 of 1994

Between:

1 C.Rambabu, S/o. Anjani Kumar,
Chittoor , Chittoor Dist.
2 K.Rajagopal Reddy, s/o. K.V.Subba Reddy,
Tirupathi, Chittoor Dist.
3 T.Rama Raju, S/o. Kotam Raju,
Tirupathi, Chittoor Dist.
4 Y.Venkateshwarlu, S/o. Subbarayudu,
Tirupathi, Chittoor Dist.
5 T.Veeraiah, S/o. Chalapathi Rao,
Tirupathi Chittoor Dist.
6 Y.R.Ramakrishna , S/o. YVSN Munrthy,
Madanampally, Chittoor Dist.
7 P.Tirupathi Reddy, S/o. P.Brahmaiah,
Madanampally, Chittoor Dist.
8 D.Vishnu Prasadh Reddy, S/o. DV Ramana Reddy,
Madanampally, Chittoor Dist.
9 K.Murali Krishna Atchutha Rao, S/o. Ranga Nayakulu,
Madanampally, Chittoor Dist.

..... PETITIONERS

AND

1 Govt. of A.P., Rep.by it's Chief secretary,
A.P.Secretariat Buildings , Hyderabad.
2 The special Secretary to Govt., Finance & Planning (FW.PC.II) Dept., A.P.Secretariat Buildings , Hyderabad.
3 The Dist. Tsreasury Officer,
Chittoor Dist. Chittoor.
4 The Dist. Sub-Treasury Officer,
Tirupathi, Chittoor.
5 The Dist. Sub-Treasury Officer,
Madanapally, Chittoor.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring that the A.P. Public Employment (House Rent Allowance) Rules,1988 in so far as it relates to the non-payment of House Rent Allowance to the

petitioners are concerned as not applicable and to further declare that the petitioners herein are entitled to receive the House Rent Allowance at the rate admissible at the place of their respective working with effect from 1-1-1994 and pass.

Counsel for the Petitioners: MR.A.P.RAO

Counsel for the Respondents: G P for finance and planning.

The Court made the following :

ORAL ORDER:

The relief sought for in this writ petition is for a declaration that the A.P. Public Employment (House Rent Allowance) rules, 1988 insofar as it relates to non-payment of House Rent Allowance to the petitioners is not applicable and to further declare that the petitioners herein are entitled to receive the House Rent Allowance at the rates admissible at the places of their respective working with effect from 1-1-1994.

Sri Y. Nagaiah, learned counsel appearing on behalf of Mr. A.P. Rao learned counsel for the petitioners and the learned Government Pleader for Finance and Planning agree that the question raised in this writ petition is squarely covered by a judgment of a Division Bench of this Court in W.P. No. 15157 of 1994 and batch dated 9-12-1996.

Recording the above submissions, and following the judgment referred to supra, this Writ petition is also dismissed. It is made clear that the interim direction granted, pending the writ petition, shall stand vacated and it is open to the respondents to effect recoveries in accordance with rule 7 of the Rules. No costs.

2005. **SRI RAMESH RANGANATHAN, J.**

Kvsn

To

1 The Chief secretary, Govt. of A.P., A.P. Secretariat Buildings , Hyderabad.
2 The special Secretary to Govt., Finance & Planning (FW.PC.II) Dept., A.P.Secretariat Buildings , Hyderabad.
3 The Dist. Tsreasury Officer,
Chittoor Dist. Chittoor.
4 The Dist. Sub-Treasury Officer,
Tirupathi, Chittoor.
5 The Dist. Sub-Treasury Officer,
Madanapally, Chittoor.

6 Two CCs to GP for Finance and Planning, High Court buildings, Hyderabad.

7 Two CD copies.